

Stillman to Seek Tie-Up Of \$137,500 Granted Wife

Banker's Lawyers Plan
Stay, Pending Appeal on
\$90,000 Alimony and
\$47,500 Legal Fund

Beauvais Letters
Rejected by Court

Communications Between
Husband and Wife Confidential, Morschauer
Rules on Her Note

Supreme Court Justice Morschauer awarded Mrs. Anne Urquhart Potter Stillman \$90,000 a year temporary alimony, \$35,000 for counsel fees and \$12,500 for legal expenses in a decision filed yesterday in White Plains. The award was on Mrs. Stillman's application for \$120,000 a year alimony and \$75,000 for counsel fees pending trial of the action instituted by James A. Stillman to divorce her and declare her twenty-eight-month-old child, Guy, illegitimate.

The so-called "rambling and pitiful" letter written by Mrs. Stillman to her husband, in which she is said to have told of the high regard in which she held Fred Beauvais, the French Canadian guide whom Mr. Stillman married later as co-respondent, was ruled out unreservedly by Justice Morschauer. It was a confidential communication between husband and wife, he said, and was privileged.

The seven letters alleged to have been written by Beauvais to Mrs. Stillman were declared by Justice Morschauer to be inadmissible "on a motion of this kind" and when accompanied by competent proof of authenticity, he made it plain, however, that the seven letters, known as Exhibit B to H, might be placed in evidence later. "There are numerous methods," he said, "by which these exhibits, B to H, may be made competent and proved, not by the testimony of the plaintiff, but by his affidavit, where objection is made thereof."

Stillman to Appeal
Mrs. Stillman's attorneys announced yesterday intention of appealing from the decision, both as to the payments allowed and as to the exclusion of the letter written by Mrs. Stillman. They regard the allowances granted as excessive. The appeal is to be filed with the Appellate Division in Brooklyn.

Mrs. Stillman, who came from Lakewood, N. J., to spend the day in New York with her eldest son, James, expressed herself as delighted with the decision. Messages of congratulation from her friends streamed into Lakewood as soon as the terms became known.

In fixing the sums Justice Morschauer said he was influenced by the nature of the case, the social and financial conditions of the litigants and by the fact that, while the elder child, Guy, was a minor, the younger child, Guy, named after his father, was a minor. Mrs. Stillman, must be a charge upon his mother.

The case was one which promised long and expensive litigation, said Justice Morschauer, taking occasion to remark that if Mr. Stillman and Mrs. Stillman both succeeded in proving the charges they had made neither of them would be entitled to a divorce.

"If these charges are established," said Justice Morschauer, "plaintiff and defendant will find themselves in a position as before the commencement of the action, except that they will have had their day in court, or, perhaps, several days as to matters affecting them, and this all means time, labor and expenditure of money."

May Tie Up Alimony
If a decision on the appeal to be taken by Mrs. Stillman's attorneys is delayed Mrs. Stillman may have difficulty for the period of its delay in collecting the money allowed her, it was said. Although the decision becomes operative at once, Mr. Stillman's attorneys are expected to appeal, which would make the appeal, which would hold up Justice Morschauer's decision until the higher court had passed upon it.

Mrs. Stillman has been making his wife an allowance of \$5,000 a month, but the installment for March has not yet been paid.

He has a check for \$5,000 here in my pocket, said one of the defendants. Mr. Stillman said one of the defendants, but he did not know whether the attorneys for the other side would accept that.

Girder Kills Boy, Injures 7 As It Falls Among Playmates

Collapse of Beam in Unused Shed Between Upper
East Side Tenements Traps Children; Frantic
Mothers Watch Police Take Victims From Ruins

Michael Ryan, seven years old, of 1675 Third Avenue, was killed instantly and seven of his playmates were injured seriously when an iron girder in the roof of an unused shed at 217 East Ninety-fourth Street crashed to the ground yesterday afternoon, falling on the children who were playing beneath it. At least fifteen children were in the shed when the girder gave way and brought down other beams.

The list of injured follows:
Frederick Walsh, eight years old, of 236 East Ninety-fourth Street. Possible fracture of the skull. Taken to the Reception Hospital.

Robert Blake, thirteen years old, of 1691 Third Avenue. Possible fracture of the skull. Taken to the Flower Hospital.

Charles Schofield, seven years old, of 239 East Ninety-fourth Street. Attended for internal injuries and taken home.

Joseph Philbin, eleven years old, of 233 East Ninety-fourth Street. Attended for internal injuries and taken home.

James O'Connor, five years old, of 239 East Ninety-fourth Street. Laceration of the left ear; home.

Victor Accardy, eleven years old, of 236 East Ninety-fourth Street. Laceration of scalp; home.

There is not a break in the solid wall of tenements in East Ninety-fourth Street between Second and Third avenues until No. 217 is reached, almost in the center of the block. Here, between the brick walls of 219, a large tenement house, and 215, a three-story building, stretched the roof of the deserted shed, formerly used as a wagon shelter. The only walls are those formed by the adjoining buildings. The rear is entirely exposed and the street entrance is barred by a makeshift iron fence and some planks, hardly secure against the active youngsters of the crowded neighborhood.

It was near dinner time that the collapse came which caused hysterical mothers and shrieking youngsters to rush to the street and hasten to the aid of the children who were pinned beneath the girder.

Patrolman William E. McGuinness and William Walsh, of the East Ninety-fourth Street police station, were the first to appear when the terrifying crash was heard. They called ambulances from the Reception and Flower hospitals and sent in a call for

(Continued on page three)

Kilroe Found Guilty, Faces 3-Year Term

Jury, After 11½ Hours in
Debate, Convicts Asst.
District Attorney and
Swarts in Bourrasse Case

**Disbarment and \$1,000
Fine Possible. Sentence
To Be Imposed Thursday**
A jury shortly after 2 a. m. returned a verdict of guilty against Edwin P. Kilroe and Louis E. Swarts, charged with conspiracy to impede and defeat the ends of justice in failing to prosecute Napoleon Bourrasse for alleged bigamy. The jury entered a strong recommendation for mercy, and after hearing the verdict Justice Weeks continued the two men in jail until next Thursday morning at 10 o'clock when they will be arraigned for sentence.

The penalty prescribed by law for conspiracy is not more than three years imprisonment or not more than \$1,000 fine, or both.

The case was given to the jury at 3:30 o'clock yesterday afternoon. Two hours were given to luncheon and dinner, and the jury returned once during the hearing for instructions.

Justice Weeks, who had retired to his chambers, was informed at 2 o'clock that the jury had reached a decision, and returned at once to the courtroom.

When Foreman Charles Wood responded "Yes" to the usual question, his voice was so low that it hardly carried across the courtroom. The word "guilty" was pronounced more clearly, but as he uttered it the foreman looked at the two accused men and flushed.

Justice Weeks responded slowly and distinctly. "Your verdict," he said, "carries a very severe penalty, involving as it does disbarment. I will give your recommendation for mercy every possible consideration."

Colonel Rand then replied to the request of the Swarts counsel for continued bail, saying that he was glad to consent. Justice Weeks thanked the jury for their work.

As the convicted men left the courtroom they were surrounded by their friends.

Eleven and one-half hours were consumed in the deliberations of the jury before a decision was reached.

After the jury had been out for eight hours, word was sent to Justice Weeks that the jurors desired instructions from the court on various points of evidence and law, and also desired to have all the testimony of Robert W. Johnstone, Assistant District Attorney in charge of the prosecution, and that of Lyle Mahan, counsel for Bourrasse, read over to them. When this was done the jury resumed its deliberations.

The jury began consideration of the case after Justice Weeks had charged them for three hours. Following the charge, former Judge William M. K. Olcott, of counsel for the defendants, said to the comment of the court upon the contention of the prosecution and the omission of vital matters for the defense.

During his charge Justice Weeks characterized the efforts of Mr. Kilroe to obtain evidence about Mr. Bourrasse as a ridiculous search. Mr. Olcott also objected to this statement.

Those are the facts as presented by the prosecution," said the justice.

The defendants were indicted on a charge of conspiracy. Mrs. Helen Montrose St. Marie Bourrasse, a motion picture actress, complained that Mr. Kilroe permitted the dismissal of bigamy charges against her husband, Napoleon A. Bourrasse, a stock broker. Mr. Swarts, who was her lawyer, was charged with being a party to the alleged conspiracy. Mr. Kilroe's defense was that he could not prosecute Bourrasse because he could not find the legal wife of the broker to give the necessary evidence of his prior marriage.

Husband's Death Kills Wife
READING, Pa., April 1.—Discovering her husband dead in bed to-day when she brought him a glass of water, Mrs. Henry J. Beck dropped dead at his bedside from shock.

Beck was chief locomotive inspector for the Reading Railway. He was sixty-eight years old and entered the service of the Reading as road foreman in 1902.

Planchard, N. C. Glorious in April, Golf and tennis tournaments. Carolina Hotel, open until May 8.—Adv.

Clear Decks For Probe of Hylan's Rule

Glynn and Koenig to Aid
Legislative Inquiry;
Elon R. Brown Slated
for Chief of Counsel

The decks are being cleared for a legislative investigation of the Hylan administration, as advocated by The Tribune.

George A. Glynn, chairman of the Republican State Committee, and Samuel R. Koenig, president of the New York County Committee, yesterday decided to cooperate with the Legislature for the legislative committee.

Whatever seems to be defective or weak in the conduct of the Hylan administration will be ventilated, and if during the inquiry there are "leads" which indicate graft or criminality they will be followed.

The Police, Finance, Street Cleaning, Fire and Dock departments certainly will be investigated, and probably the Department of Markets also will receive attention.

Ex-Senator Elon R. Brown, of Watertown, who for the last year has been practicing law in this city, being associated with Lord, Day & Lord, is understood to be slated to be chief counsel for the legislative committee.

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British Rally To Halt Mine Strike Peril

Federation Leader
Hints Revolution
Minor Measures Taken to
Conserve Fuel; Shortage
Will Be Felt Next Week

From The Tribune's European Bureau
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LONDON, April 1.—With the vast majority of Great Britain's 1,200,000 coal miners idle to-day, in protest against wage cuts and a return to private control, the country faces what many believe can only be a short struggle. The miners lack funds to carry on the strike many weeks and must force a break in the present deadlock.

Thomas Rowland, president of the North Wales Miners' Federation, said in an interview to-day that the situation was so serious that he feared a revolution. This, he said, some were anxious to see.

King George to-night issued a proclamation reassembling Parliament. The House of Lords and the House of Commons, which had adjourned to April 4 and 12 respectively, will both meet on April 4. The King's act was in accordance with the emergency powers act of 1920, which provides that Parliament shall assemble within five days after the proclamation declaring that a state of emergency exists. Such a proclamation, empowering the government to protect the supply of essentials to life, was issued last night.

Only here and there was the union order calling the strike disobeyed. In Yorkshire, Lancashire, Staffordshire, Scotland and in a few outlying districts the men stayed in the pits. The workers in some other areas showed no signs of regularity in the strike, but so far have remained loyal to the federation. The pumps in many mines, where the greatest danger of flooding exists, and in some cases the work of clerical and administrative staffs.

Government Ready to Mediate
Inasmuch as government control of the mines ended at midnight, no official action will be taken to bring the miners and the owners together, although the various agencies of the government are ready and willing to be called on as mediators. The Cabinet is in session for two hours to consider the situation, and although no action was announced it was understood that the members of the government would remain in the city for an emergency call.

Only minor steps have been taken under the emergency proclamation to safeguard fuel, transportation, food and other necessities. The first visible effects of the stoppage are being felt. The supply of coal is being held temporarily in abeyance in the hope that some settlement will be reached quickly.

The miners, short of funds, are particularly anxious to force a settlement. They are now centering their efforts on obtaining the support of the transport workers and railway men. The triple alliance—and any laborer's support—will be a great help to the miners.

The miners accomplished little to-day toward a settlement, as the few owners remaining in the city were unable to offer any new terms. The miners are severely handicapped by the absence of their champion and leader, Robert Smillie. At present their interests are in the hands of Frank Hodges, the secretary of the federation, who is an able young man, but who lacks Smillie's powerful personality.

Strike Benefit Funds Depleted
The situation in the miners' ranks is plain in the case of the union branch in Yorkshire. The miners have only one hand only enough money to pay strike benefits for two weeks. On the other hand, the supply of coal in that district is said to be ample for only a few days. The situation is equally serious in other districts.

Reports from inside political sources in Budapest indicate that persons who have been compromised themselves in the adventure already are seeking a way out. The firm attitude of the Entente and the menace of the military power of the Entente are being felt. The Rumanian are said to have brought even the maddest monarchists to sanity. Although militarily impotent, Austria's uncertainty of attitude showed them they could not for no aid here.

The police are endeavoring to learn where Charles spent Good Friday night, but as the caretaker of the palace has been carrying on an extreme, national business life would be completely paralyzed. The railwaymen clearly sympathize with the miners, but the transport workers are less enthusiastic in joining to the fact that a great number of their own members are already out of employment. A few leaders of the railwaymen are continuing to work the week-end, planning measures to be presented at the meeting of the national body next week.

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Charles Quits Hungary for Swiss Exile

Leaves Steinamanger, Accompanied by Two British Officers and Escort of the Entente Troops

PARIS, April 1.—A dispatch to the East Europe Agency from Budapest says former Emperor Charles, accompanied by two British officers, has left Steinamanger for Switzerland. There is no confirmation of this report from other sources.

VIENNA, April 1.—(By The Associated Press).—Completion of the arrangements for the departure of Emperor Charles is announced by the newspapers. He will leave to-night on a special train, accompanied by two British staff officers and an escort of Entente troops, according to the papers.

The train will proceed by way of Vienna, Salzburg and Ruch, passing Vienna at night. All the stations are to be closed while the train is passing.

Austria Grants Safe Conduct
Austria has granted a safe conduct to Charles. The request was made by the Hungarian Minister.

The British, French and Italian ministers called upon Chancellor Mayr this morning and presented the protest of the powers against a Hapsburg restoration.

Paris dispatches say that the Allied Council of Ambassadors, sitting yesterday in that city, adopted a resolution reiterating the Allied declaration of February 4, 1920, warning Hungary that the return of the Hapsburgs to power would not be permitted.

While the attitude of the Entente has been known, the presentation of the protest is regarded here as being meant to strengthen the hands of the government in case of now unlocked events.

Overnight developments presaged an early end to the last act of the drama of Steinamanger, and the way is all prepared for the former Emperor's departure.

Aids Seek Way to Escape
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